



Federal Communications Commission
Washington, D.C. 20554

DA 10-2408

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Re: WWAZ-DT, Fond du Lac, WI
File No. BPRM-20080620
Facility ID No. 60571

Gentlemen:

This is with respect to a petition filed by WDJT-TV Limited Partnership ("WDJT"), the licensee of station WDJT-TV, Milwaukee, Wisconsin, seeking reconsideration of an August 12, 2009, Report and Order changing the allotted channel for station WWAZ-TV, Fond du Lac, Wisconsin, from channel 44 to channel 5.¹ WWAZ License, LLC ("WWAZ"), the licensee of station WWAZ-TV, and WLS Television, Inc. ("WLS"), the licensee of station WLS-TV, Chicago, Illinois, have filed oppositions to the petition for reconsideration, to which WDJT has filed a consolidated reply.

In the August 12, 2009, Report and Order, the Video Division noted that "WWAZ's channel 5 proposal, as originally submitted, would have resulted in a loss of service to persons residing along the western and northwestern edge of the station's licensed analog service area and authorized Appendix B digital service area."² WWAZ supplemented the petition for rulemaking on February 23 and June 16,

¹ *Fond du Lac, Wisconsin*, Report and Order, 24 FCC Rcd 10659 (Vid. Div. 2009).

² *Fond du Lac, Wisconsin*, Report and Order, 24 FCC Rcd at 10659, ¶ 2.

2009, to propose use of two replacement digital translator stations at Ripon and Columbus, Wisconsin,³ in order to restore service to the proposed analog loss area, pursuant to the 2009 *Replacement Translator Order*.⁴ WDJT has challenged the showing with respect to the loss figures provided in the June 16, 2009, supplement. In the August 12, 2009, Report and Order, the Video Division agreed with WWAZ's analysis that the proposed replacement translators would restore digital service to all but 2,086 of the 186,253 persons within the analog loss area.

Further engineering review indicates, however, that the loss figures contained in the Report and Order are not accurate. Specifically, we have now determined that the two replacement digital translator stations would restore service to only a fraction of the loss area. Consequently, since this remains an open proceeding,⁵ we will require that WWAZ re-engineer the proposed translators in order to cover the projected analog loss area, and file the requisite license modification applications to reflect the necessary technical changes. We will also require an updated technical showing that relies on the translator stations' 51 dBuV/m service contour, not the 41 dBuV/m service contour employed in the previous showing.⁶ In addition, we remind the parties not to use a dipole-adjusted contour to demonstrate the projected analog loss.

We request that the updated showing, and accompanying modification applications, be filed with the Commission within 15 days of receipt of this letter, with a copy to be served on WDJT. WDJT will have 10 days to respond to the updated showing.

Sincerely,

Clay C. Pendarvis
Associate Chief, Video Division
Media Bureau

³ See File Nos. BDRTCT-20090223ABX and BDRTCT-20090223ABW, granted July 21, 2009.

⁴ See *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Replacement Digital Low Power Television Translator Stations*, Report and Order, 24 FCC Rcd 5931, 5935 (2009) ("*Replacement Translator Order*")

⁵ The Petition for Reconsideration was filed within 30 days of public notice of the Report and Order in this case.

⁶ 47 C.F.R. § 74.792(a)(3).